

Indiana Department of Education

Division of Special Education

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	1846.01
COMPLAINT INVESTIGATOR:	Sandie Scudder
DATE OF COMPLAINT:	December 17, 2001
DATE OF REPORT:	January 16, 2002
REQUEST FOR RECONSIDERATION:	
DATE OF CLOSURE:	February 7, 2002

COMPLAINT ISSUES:

Whether the MSD of Washington Township violated:

- 511 IAC 7-27-4(a) by failing to convene a case conference committee meeting at the parent's request.

FINDINGS OF FACT:

1. The student (Student) is 5 years old, is in preschool, and is eligible for special education and related services as a student with an emotional disability. The Student attends a private preschool in the morning, and a public preschool in the afternoon.
2. The Complainant alleges that the public school refuses to address behavior concerns the Student is experiencing at the private preschool, and wants consistent communication between the public preschool and the private preschool regarding the implementation of the behavior plan. Towards the end of November 2001, the complainant requested a case conference committee meeting be scheduled before the holidays with both the public and preschool staffs.
3. The Director states that the Complainant contacted the preschool coordinator on November 29, 2001, to request a case conference committee meeting, and suggested possible dates. The preschool coordinator was unable to schedule a case conference with a special education administrator present on the dates the Complainant suggested. The director instructed the preschool coordinator to contact the Complainant and suggest the case conference be scheduled after the winter recess. Winter recess occurred from December 21, 2001, through January 6, 2002.
4. The School offered January 8, 2002, for the case conference committee meeting, but the Complainant did not agree to that date because staff members from the private school were unable to attend. The parties subsequently agreed to convene the case conference committee on January 16, 2002.

CONCLUSIONS:

1. Findings of Fact #2, #3, and #4 indicate that the Complainant requested a case conference meeting on November 29, 2001, but that scheduling conflicts and the intervening school holiday precluded the parties from convening the committee prior to January 16, 2002. Therefore, no violation of 511 IAC 7-27-4(a) is found.

The Department of Education, Division of Special Education requires no corrective action based on the Findings of Fact and Conclusions listed above.

DATE REPORT COMPLETED: January 16, 2002